

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
(Camden Vincinage)**

Robert and Katherine Tracy, individually and as H/W 111 Davis Road Rio Grande, NJ 08242	: : : : :	
Plaintiffs,	:	
v.	:	Civil Action No. 10-1381
	:	
Boardwalk Regency Corp. d/b/a Caesar's Atlantic City; Network Construction Co., Inc.	: : : : :	Jury Trial Demanded
	:	
Defendants.	:	
Boardwalk Regency Corp. d/b/a Caesar's Atlantic City	: : : :	
Third Party Plaintiffs,	:	
v.	:	
	:	
Accent Fence and Network Construction Company, Inc.	: : : :	
	:	
Third Party Defendants.	:	

ORDER

AND NOW this _____ day of _____, 2011, upon consideration of Counsel's Renewed Motion for Leave to Withdraw, and any response thereto, it is hereby ORDERED and DECREED that Counsel's Motion is GRANTED, and the Clerk shall mark Plaintiffs' counsel's representation TERMINATED.

AND IT IS SO ORDERED.

Ann Marie Donio

,M.J.

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Rio Grande, NJ 08242	:
	:
Plaintiffs,	:
v.	:
	:
Boardwalk Regency Corp. d/b/a	:
Caesar's Atlantic City; Network	:
Construction Co., Inc.	:
	:
<u>Defendants.</u>	:
Boardwalk Regency Corp. d/b/a	:
Caesar's Atlantic City	:
	:
Third Party Plaintiffs,	:
v.	:
	:
Accent Fence and Network	:
Construction Company, Inc.	:
	:
Third Party Defendants.	:

**COUNSEL FOR PLAINTIFFS' RENEWED MOTION FOR LEAVE TO WITHDRAW
AS COUNSEL**

This is an action in product liability arising out of Plaintiff, Robert Tracy's construction site accident resulting in his personal injuries.

This being the third motion for counsel's leave to withdraw, counsel believes this Honorable Court familiar with the procedural posture, law and operative facts giving rise to this renewal (prior motions incorporated by reference – Docket Nos. 35 and 46). In short, each and every attempt at counsel's communication with Plaintiffs have gone unanswered, and Plaintiffs have not communicated with counsel for quite some time.

This action is currently stayed pending the adjudication of this anticipated motion. As then advised to this Honorable Court, counsel has retained a private investigator with a view

towards locating, contacting and requesting Plaintiffs contact counsel – unfortunately, that private investigator, Investigative Solutions, LLC by Investigator Gallant, was unsuccessful. (Exhs. A & B).

Out of an abundance of caution, as the investigator's report indicates Robert Tracy having filed bankruptcy in 2009-2010, counsel has served a copy of this motion upon Plaintiff's bankruptcy counsel (and written that bankruptcy counsel separately). Notwithstanding, the bankruptcy docket (Exh. C) reflects the last known address of Plaintiff as that address of which undersigned counsel has been attempting communications.

WHEREFORE, Counsel for Plaintiffs request this Honorable Court leave to withdraw as counsel consistent with the attached proposed order.

WEISBERG LAW, P.C.

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorney for Plaintiffs

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Boardwalk Regency Corp. d/b/a Caesar's Atlantic City	: : : :	
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v.	:	
	:	
Accent Fence and Network Construction Company, Inc.	: : :	
Third Party Defendants.	:	

CERTIFICATE OF SERVICE

I, Matthew B. Weisberg, Esquire, hereby certify that on this 11th day of July, 2011, a true and correct copy of the foregoing Counsel for Plaintiffs' Renewed Motion for Leave to Withdraw as Counsel was served via ECF and regular mail, respectively, upon the following parties:

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WEISBERG LAW, P.C.

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorney for Plaintiffs